

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

VAN A. LUPO,)	
Plaintiff)	Civil Action Number 04-40202-FDS
)	Hon. F. Dennis Saylor IV
v.)	
)	Complaint Filed: September 29, 2004
BANK of AMERICA CORPORATION)	
and SHERYL LUPO)	
Defendants)	

INFANT, INCOMPETENT AND MILITARY AFFIDAVIT

I, Jill Shedd, on behalf of Van Lupo ("Plaintiff"), herein on oath and depose, and say that Sheryl Lupo, defendant herein is not an infant, not an incompetent person and is not in the military service of the United State or any of its allies as defined in the Servicemembers Civil Relief Act. Said statement is evidenced by the following facts:

1. Sheryl Lupo is an approximately 54 year old capable woman.
2. To the best of Plaintiff's knowledge Sheryl Lupo has never served in the military.
3. To the best of Plaintiff's knowledge Sheryl Lupo currently resides in Huntington Beach, California at 9061 Aloha Drive.

Signed under the pains and penalties of perjury.

DATED: May 15, 2007


Jill C. Shedd